

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

April 22, 2004

DIVISION TWO

[illegible]

The judgment is affirmed.

Nott, J.

We concur: Boren, P.J.
Ashmann-Gerst, J.

B164978 People (Not for Publication)
v.
Martin, Jr., et al.

The judgments are modified to stay the sentences on the attempted robbery convictions and are otherwise affirmed.

Nott, Acting P.J.

We concur: Doi Todd, J.
Ashmann-Gerst, J.

B160881 Juarez, et al. (Not for Publication)
v.
Godbey-Monroe, Inc., et al.

The judgment appealed from is affirmed. Respondents shall recover their costs of appeal from appellant.

Nott, Acting P.J.

We concur: Doi Todd, J.
Ashmann-Gerst, J.

DIVISION FIVE

B166593 People (Certified for Partial Publication)
v.
Ronny P.

The orders are affirmed.

Grignon, J.

We concur: Turner, P.J.
 Mosk, J.

B162802 Greenberg (Not for Publication)
v.
Alta Healthcare System, L.L.C., et al.

The summary judgment in favor of Schapper is affirmed. The summary judgment in favor of Hospital is reversed. The trial court is directed to vacate its order granting summary judgment in favor of Hospital and enter a new and different order granting summary adjudication in favor of Hospital as to the causes of action for retaliatory harassment in violation of public policy and invasion of privacy. We note that summary adjudication in favor of Hospital of causes of action for defamation, intentional infliction of emotional distress, breach of implied contract, and breach of the implied covenant of good faith and fair dealing has been granted and is no longer at issue. The trial court is directed to vacate its order granting summary judgment in favor of Weeks and its order granting summary adjudication in favor of Weeks on the invasion of privacy cause of action. The trial court is directed to enter a new and different order granting summary adjudication in favor of Weeks as to the cause of action for retaliatory harassment in violation of public policy. We note that summary adjudication in favor of Weeks of the cause of action for intentional infliction of emotional distress has been granted and is no longer at issue. Each party is to bear its own costs on appeal.

Grignon, Acting P.J.

We concur: Armstrong, J.
 Mosk, J.

April 22, 2004 (Continued)

DIVISION FIVE (Continued)

[illegible]

The judgment is affirmed.

Turner, P.J.

We concur: Armstrong, J.
 Mosk, J.

B169904 Los Angeles County, D.C.S. (Not for Publication)
v.
Kimberly C., et al.,
In re Bayleigh K.

The appeal in B169904 is dismissed. The order terminating parental rights is conditionally reversed. The dependency court is directed to order the Department promptly to comply with the notice provisions of ICWA. If, after notice is received, there is no timely response indicating Bayleigh is an Indian child, the dependency court shall reinstate its original order terminating parental rights. If, however, the dependency court determines Bayleigh is an Indian child and ICWA applies to the proceedings, the dependency court shall order a new section 366.26 hearing.

Grignon, J.

We concur: Turner, P.J.
 Armstrong, J.

DIVISION SIX

B170525 Humkar, etc., et al. (Not for Publication)
v.
Petillo, etc., et al.

The order awarding attorney fees is affirmed. Respondents shall recover their costs on appeal.

Yegan, Acting P.J.

We concur: Coffee, J.
Perren, J.

April 22, 2004 (Continued)

DIVISION SEVEN

B165955 People
 v.
 Porter

Filed order denying petition for rehearing.